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D.S., A MINOR BY AND THROUGH HIS

15 GUARDIAN AD LITEM CORTNEY LARSON

16 UNITED STATES DISTRICT COURT

17 DISTRICT OF NEVADA, SOUTHERN DIVISION

18  
19 D.S., a minor by and through his  
20 Guardian ad Litem CORTNEY  
21 LARSON,

22 Plaintiff,

23 v.

24 CLARK COUNTY SCHOOL DISTRICT,  
25 MELISSA OLSZEWSKI, SHAWN  
HALLAND and DOES 1-50,

26 Defendants.

Case No. 2:22-cv-00246-JCM-NJK

Assigned for All Purposes to  
Judge James C. Mahan and  
Magistrate Judge Nancy J. Koppe

27  
28 ORDER GRANTING  
VERIFIED PETITION FOR  
COMPROMISE OF MINOR'S CLAIM  
AND ESTABLISHMENT OF  
MINOR'S TRUST

Date Filed: February 11, 2022

Trial Date: Unassigned

1       Upon the Plaintiff's VERIFIED PETITION FOR COMPROMISE OF MINOR'S  
 2 CLAIM AND ESTABLISHMENT OF MINOR'S TRUST filed herein by Petitioner  
 3 CORTNEY LARSON natural mother and guardian of minor child D.S. (hereinafter  
 4 the "Petition") and good cause appearing:

5       IT IS HEREBY ORDERED THAT:

6       1.       The compromise of the minor's claim is hereby approved;  
 7       2.       Within 30 days of the entry of this Order, CCSD shall pay \$2,000,000.00  
 8 to settle D.S.'s claims, to be distributed as follows:

9               a.       A cash payment of \$960,000 to Walkup, Melodia, Kelly &  
 10 Schoenberger Client Trust Account, to be distributed as follows:

- 11                   i.       \$139,874.46 to Plaintiffs' counsel for case costs;
- 12                   ii.      \$620,041.85 to Plaintiffs' counsel for attorneys' fees; and
- 13                   iii.     \$200,083.69 to The D.S. Special Needs Trust.

14               b.       A check in the amount \$1,040,000.00 to MetLife Assignment  
 15 Company, Inc. to fund the future periodic payments for the benefit of D.S., through  
 16 an annuity policy issued by Metropolitan Tower Life Insurance Company, rated  
 17 A+XV by AM Best, as further detailed in Sections 3 and 4 below:

18               3.       Periodic payments to Legacy Enhancement Trust FBO D.S. (Payee)  
 19 made according to the Schedule of Payments as follows:

20               a.       17,000.00 payable annually, guaranteed for 11 year(s) which is 11  
 21 payments, beginning on May 8, 2024 at age 8, increasing at a rate of 3.00%  
 22 compounded annually, with the last guaranteed payment on May 8, 2034 at age 18.

23               b.       \$3,332.94 payable monthly, guaranteed for 11 year(s) which is  
 24 132 payments, beginning on May 8, 2024 at age 8, with the last guaranteed payment  
 25 on April 8, 2035 at age 18.

26               c.       \$25,000.00 payable annually, guaranteed for 4 year(s) which is 4  
 27 payments, beginning on May 8, 2034 at age 18, with the last guaranteed payment on  
 28 May 8, 2037 at age 21.

29               d.       \$2,000.00 payable monthly, guaranteed for 7 year(s) which is 84

1 payments, beginning on May 8, 2034 at age 18, with the last payment on April 8,  
2 2041 at age 24.

3       4. Periodic payments to D.S. (Payee) will be made according to the  
4 Schedule of Payments as follows:

5           a. \$2,000.00 for life, payable monthly, guaranteed for 28 year(s)  
6 which is 336 payments, beginning on May 8, 2041 at age 25, with the last guaranteed  
7 payment on April 8, 2069.

8           b. \$50,000.00 paid on May 8, 2046, at age 30.

9           c. \$75,000.00 paid on May 8, 2049, at age 33.

10          d. \$100,000.00 paid on May 8, 2052, at age 36.

11          e. \$125,000.00 paid on May 8, 2054, at age 38.

12          f. \$150,000.00 paid on May 8, 2056, at age 40.

13        5. The D.S. Special Needs Trust as presented to the Court in Exhibit 2 to  
14 the Petition is hereby authorized and approved;

15        6. Legacy Enhancement is hereby authorized and directed to execute any  
16 and all documents necessary to establish The D.S. Special Needs Trust and to  
17 establish accounts on behalf of the minor Plaintiff;

18        7. Petitioner, as D.S.'s Guardian ad Litem, is hereby directed to execute  
19 any necessary documents, including releases, on behalf of the minor child to finalize  
20 this matter;

21        8. Petitioner shall be relieved of the requirement that she file a complete  
22 copy of D.S.'s medical records; and

23        9. The Trustee of The D.S. Special Needs Trust shall not be required to  
24 post bond or surety in this or any other jurisdiction.

25           IT IS SO ORDERED.

26  
27       Dated: September 12, 2023.

  
JAMES C. MAHAN

28           UNITED STATES DISTRICT JUDGE